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Thomas
Turner/R5/USEPA/US
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To
Subject DRAFT - Old American Zinc SF site (IL) - Memorialization of
conversation with XTRA Intermodal, Inc. counsel

Confidential Communication

By Electronic Mail Only

XTRA Intermodal, Inc.
c/o: Michael Steinberg, Esq.
Morgan, Lewis & Bockius
1111 Pennsylvania Avenue, NW
Washington, DC 20004

Re: Old American Zinc (OAZ) Superfund Site, Fairmont City, IL - On-Site Building Demolition and
Remedial Investigation/Feasibility Study (RI/FS) - U.S. EPA concerns with PRP XTRA under June 2005
CERCLA Section 106 UAO

Dear Mr. Steinberg:

This is to memorialize our conversation of the morning of March 16, 2006. As we discussed, U.S. EPA has become aware of your client's (XTRA Intermodal, Inc.) plan to demolish standing buildings on the OAZ Superfund Site. Pursuant to the current on-going RI/FS being performed pursuant to the June 2005 Administrative Settlement Agreement between U.S. EPA, Blue Tee, Inc. and the General Services Administration (GSA), as well as the June 2005 UAO issued to (and agreed to by) XTRA, U.S. EPA requires that XTRA take necessary steps to work cooperatively with Blue Tee/GSA in their performance of the RI/FS, and to keep both Blue Tee/GSA and U.S. EPA informed and aware of the plans involved in the abovementioned demolition in a timely and proper manner. U.S. EPA notes that the continuing obligation for such actions is required and supported by the UAO, CERCLA 106(b)(1) and CERCLA 122(e)(6).

Finally, as we discussed, U.S. EPA requires that XTRA notify Remedial Program Manager Ronald Murawski (e-mail at 'Murawski.Ronald@epa.gov' or 312/886-2940) at least 5 business days prior to any planned demolition activities that may in any way interfere with the performance of the RI/FS.

Please feel free to contact me with any comments or questions (e-mail at Turner.Thomas@epa.gov or 312/886-6613).

Thanks. Tom Turner, U.S. EPA, Region 5, ORC